Case 4:07-cv-04660-CW Document 16 Filed 05/01/09 Page 1 of 3 ANN MILLER RAVEL, County Counsel (S.B. #62139) 1 MARK F. BERNAL, Deputy County Counsel (S.B. #173923) OFFICE OF THE COUNTY COUNSEL 2 70 West Hedding, East Wing, 9th Floor 3 San Jose, California 95110-1770 Telephone: (408) 299-5900 4 Facsimile: (408) 292-7240 5 Attorneys for Defendant OFFICER ANTHONY DURANTE 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 11 JOSEPH ANTHONY ABEYTA No. C07-4660 CW (PR) 12 Plaintiff, STIPULATION AND ORDER DISMISSING ENTIRE ACTION WITH PREJUDICE 13 v. 14 SANTA CLARA COUNTY DEPT. OF CORRECTIONS, et al. 15 Defendant. 16 17 The Defendant hereto, by and through his counsel of record, and the Plaintiff, in pro se, 18 hereto hereby stipulate and agree to an order dismissing this entire action with prejudice as to all 19 named defendants. // 20 21 // 22 // 23 // 24 // 25 // 26 // 27 // 28 // Stip and Order Dismissing ANN MILLER RAVEL Entire Action With Prejudice -1-C07-4660 CW (PR)

Case 4:07-cv-04660-CW Document 16 Filed 05/01/09 Page 2 of 3 Each side shall bear their own attorneys' fees and costs of the suit. 1 2 IT IS SO STIPULATED: 3 ANN MILLER RAVEL County Counsel 4 4/28/09 //s// By: 5 Dated: _____ MARK F. BERNAL 6 Deputy County Counsel Attorneys for Defendant OFFICER ANTHONY DURANTE 7 8 9 4/28/09 //s// Dated: _____ 10 By: JOSEPH ANTHONY ABEYTA 11 Plaintiff, in pro se 12 13 IT IS SO ORDERED: Jardidvillan 14 5/1/09 15 Dated:_____ HON. CLAUDIA WILKEN United States District Court Judge 16 17 18 19 20 21 22 23 24 25 26

Stip and Order Dismissing Entire Action With Prejudice

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ANN MILLER RAVEL

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Case 4:07-cv-04660-CW Document 16 Filed 05/01/09 Page 3 of 3 1 UNITED STATES DISTRICT COURT 2 FOR THE 3 NORTHERN DISTRICT OF CALIFORNIA 4 5 6 JOSEPH A. ABEYTA, Case Number: CV07-04660 CW 7 Plaintiff, **CERTIFICATE OF SERVICE** 8 v. 9 SANTA CLARA COUNTY DEPT. OF CORRECTIONS et al, 10 Defendant. 11 12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. 13 That on May 1, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said 14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery 15 receptacle located in the Clerk's office. 16 17 Joseph Anthony Abeyta CHY429 18 Santa Clara City Correction Department 03026633 19 885 N. San Pedro Street San Jose, CA 95110 20 Dated: May 1, 2009 21 Richard W. Wieking, Clerk By: Sheilah Cahill, Deputy Clerk 22 23 24 25 26 27 28 Stip and Order Dismissing

ANN MILLER RAVEL County Counsel County of Santa Clara San Jose, California Entire Action With Prejudice